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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/580,862	05/26/2006	Naoufel Chraiet	13798.002.00	7074

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EXAMINER	
ELFERVIG, TAYLOR A	
ART UNIT	PAPER NUMBER
2445	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/580,862	CHRAIET ET AL.	
	Examiner	Art Unit	
	TAYLOR ELFERVIG	2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Remarks

1. This communication is considered fully responsive to the Amendment filed on 12/20/2008.

Response to Arguments

2. Applicant's arguments with respect to claim 1-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1-6, 8, 9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to *Koster* to *("Koster")* in view of U.S. Patent Application Publication No. 2006/0142935 A1 to *Koerber* ("*Koerber*").

As to claim 1, *Koster* discloses a method for managing information between communicating objects situated in different locations (200, 235), said information originating from information provider communicating objects (235,

Information Service Provider) and considered by communicating objects (200, Mobile Terminal with Display) able to deliver information, said method comprising the steps (Fig. 2A, ¶0050-¶0054):

Koerber discloses what *Koster* does not expressly disclose

Koerber discloses:

acquiring data comprising an item of information to be disseminated by a user using a communication object situated in a first location, and comprising a parameter indicating said first location associated with said item of information, wherein said first location belongs to a set of locations identified in a unique manner in a system of reference (¶0026-¶0028);

storing said data comprising an item of information and a parameter indicating said first location associated with said item of information in a service platform (¶0026); and

delivering, from said remote service platform, at least one stored item of information associated with said first location, to a user by way of at least one communicating object able to deliver information and situated at a second location belonging to said set of locations (¶0025).

Koster and Koerber are analogous art because they are from same field of endeavor with respect to determining the physical location of user.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate the acquiring, storing and delivering data about a location to a user in another location discussed *Koerber* within the

communication system discussed in *Koster*. The suggestion/motivation would have been a need to get information about one location while the user is at another location (*Koerber,* ¶0005).

As to claim 2, *Koerber* discloses wherein said communicating object able to deliver information comprises an information delivery device fixed at second said location, said information delivery device a affording access to stored information associated with said first location (¶0026-¶0028). The suggestion/motivation and obviousness rejection are the same as in claim 1.

As to claim 3, *Koster* teaches a stored item of information associated with a location (510) is delivered by way of a communicating object (500) able to deliver information and providing the parameter indicating the identification of said location (510) (Fig. 5A, ¶0069).

As to claim 4, *Koster* teaches determining a location in which a communicating object (Fig. 2A, 200) able to deliver information is situated (Fig. 4A, 405) (¶0049, ¶0062), and

delivering stored information (510) associated with said location by way of said communicating object (500) (Fig. 5A, ¶0070).

As to claim 5, *Koster* teaches determining a location (205, GPS Satellite) in which an object providing information is situated (Fig. 2A), and

acquiring (Fig. 1, 10, Ant) and storing (Fig. 1, 18, Memory) at least one datum comprising an item of information provided by way of said object providing information (Fig. 2A, 205, GPS Satellite) and a parameter indicating the identification of said location (¶0043).

As to claim 6, *Koster* teaches carrying out a step of identification of a user of a communicating object able to deliver information (¶0069), and

affording access of the user to stored information associated with a location by way of said communicating object as a function of at least the results of this step of identification (¶0069).

As to claim 8, *Koster* teaches information provider communicating object (235, Information Service Provider) associated with a location comprises an information acquisition device (235) fixed to said location (Fig. 2A). Here, the Information Service Provider is receiving Data Inputs.

As to claim 9, *Koster* teaches carrying out at least one step of identification of a user (Fig. 7B, 712) of an information provider communicating object (Fig. 7B, 720) (¶0090, ¶0091), and

acquiring (Fig. 7C, 720) and storing (Fig. 7C, 724, Database) at least one datum comprising an item of information provided by the user (Fig. 7C, 726, Service Profile for Subscriber) by way of said object as a function of at least the results of this step of identification (Fig. 7B, Fig. 7C, ¶0090, ¶0091). Here, a user of a mobile terminal sends user information to a MSC (Mobile Switching System) which in turn sends it an APS (Adjunct Processing System).

As to claim 11, *Koster* teaches triggering, when a communicating object is located for the first time in a location, an operation destined for said communicating object (Fig. 5A, 500), prompting it to provide an item of information when the communicating object is an information provider (Fig. 8C, 892), and to have access to stored information associated with said location when the communicating object is able to deliver information (Fig. 5A, Fig. 10A) (¶0069, ¶0070, ¶0097). Examiner has interpreted the meaning of "triggering, when a communicating object is location for the first time in a location" to mean when a device enters a particular area then an initialization is performed. *Koster* teaches the use of GPS. *Koster* embodiments would perform/act the same or similar whether it was in a location for the first time or not.

As to claim 12, similar rejection as claim 1, wherein the method teaches the system.

As to claim 13, *Koster* discloses platform for managing information comprising at least two information management systems (200, 235), each information management system comprising (Fig. 2A, ¶0050-¶0053):

Koerber discloses what *Koster* does not expressly disclose.

Koerber discloses:

means for acquiring and storing data comprising an item of information to be disseminated provided by a user via a communicating object situated in a first location and comprising a parameter indicating an identification of said first location associated with said item of information, the first locating belonging to a set of locations identified in a unique manner in a system of reference (¶0026-¶0028);

wherein the platform comprises means specifically for matching up the location identification in the system of reference of one of the two information management systems with the location identification in the system of reference of the other of the two information management systems (¶0019-¶0023, ¶0026).

The suggestion/motivation and obviousness rejection are the same as in claim 1.

4. **Claims 7 and 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication 2004/0203909 A1 to *Koster* to *("Koster")* in view of U.S. Patent Application Publication No. 2006/142935 A1 to *Koerber* ("*Koerber*") in further view of U.S. Patent Application Publication No. 2003/0187949 to *Bhatt et al.* ("*Bhatt*").

As to **claim 7**, *Koster and Koerber* discloses A method for managing information between communicating objects, said information originating from information provider communicating objects and considered by communicating objects able to deliver information and steps for carrying out a step of identification of a user of a communicating object able to deliver information, and affording access of the user to stored information associated with a location by way of said communicating object as a function of at least the results of this step of identification as discussed in claim 1 and claim 6.

Bhatt discloses what *Koster and Koerber* do not expressly disclose. However, *Koster* does teach that a user identity must be established by some method in order to access some certain information (¶0069).

Bhatt discloses:

a step of authentication of the user is carried out, and access to associated stored information is a function of at least the results of this step of authentication (¶0026).

Koster, Koerber and Bhatt are analogous art because they are from same field of endeavor with respect to determining the physical location of user.

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate the authentication process discussed *Bhatt* within the communication system discussed in *Koster and Koerber*. The suggestion/motivation would have been a need to ensure that only those users with appropriate access and privileges obtain the transmitted information (*Bhatt,* ¶0026).

As to claim 10, *Bhatt* teaches a step of authentication of the user is carried out, and the acquisition and the storage of the datum is a function of at least the results of this step of authentication (¶0026). The motivation/suggestion is the same as in claim 7.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TAYLOR ELFERVIG whose telephone number is (571) 270-5687. The examiner can normally be reached on Monday - Thursday, 9:00 am - 4:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrice Winder can be reached on (571) 272-3935. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice Winder/
Primary Examiner, Art Unit 2445

/T. E./
Examiner, Art Unit 2445